



COMMONWEALTH of VIRGINIA

Office of the Attorney General
Richmond 23219

Jerry W. Kilgore
Attorney General

James Webb Jones
Assistant Attorney General

Reply To:
1700 North Main Street
Suffolk, Virginia 23434
Telephone: (757) 925-2536
Facsimile: (757) 925-2532

December 19, 2002

James Barnett, Esquire
York County Attorney
224 Ballard Street
P.O. Box 532
Yorktown, Virginia 23690-0532
Via Facsimile Transmission: (757) 890-3346

RE: Closing of northern portion of Martiau Street
Yorktown

Dear Mr. Barnett:

I have reviewed your letter of November 4, 2002, at the request of Steven W. Hicks, Resident Engineer. You and I have also discussed the situation in Yorktown regarding a portion of Martiau Street shown with cross-hatching on the attached drawing by AES Consulting Engineers dated December 5, 2002. I have reviewed the plat you provided and I have also discussed the history of our title work in Yorktown with our Senior Title Examiner, Mr. Walter Daniel. Consequently, I feel safe in saying that while the Commonwealth of Virginia does claim right of way in Water Street, we do not believe that the Commonwealth of Virginia has any claim to public right of way in the portion of Martiau Street shown with cross-hatching on the attached plat which you seek to vacate and close in order to construct a parking garage over this area.

With kind regards, I remain

Very Truly Yours,

James Webb Jones
Assistant Attorney General
1700 North Main Street
Suffolk, Virginia 23434
Telephone: (757) 925-2536
Facsimile: (757) 925-2532

JWJ:ted

RECEIVED

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YORK COUNTY ATTORNEY
YORK COUNTY, VIRGINIA

cc: Mr. Steven W. Hicks, Resident Engineer
Virginia Department of Transportation
4451 Ironbound Road
Williamsburg, Virginia 23188

Ms. Vicky Pinchbeck
R/W Agent